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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,383	01/19/2001	Robert Betros	DISC1140	7351

30542 7590 11/10/2004

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EXAMINER	
ROCHE, TRENTON J	

ART UNIT	PAPER NUMBER
2124	

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/766,383	BETROS ET AL.	
	Examiner	Art Unit	
	Trent J Roche	2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 August 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,6-9,11,13 and 14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,6-9,11,13 and 14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to communications filed 2 August 2004.

2. Per applicant's request, amended claim 1 has been entered. Claims 3, 5, 10 and 12 have been canceled. Claims 1, 2, 4, 6-9, 11, 13 and 14 are now pending.

3. Claims 1, 2, 4, 6-9, 11, 13 and 14 have been examined.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,182,119 to Chu.

Regarding claim 1:

Chu teaches:

- a method of filtering messages ("a method for filtering data..." in col. 12 line 43)
- receiving a text-based filter string representing filter criteria ("Filter objects...provide filtering criteria..." in col. 5 lines 32-33. Further, an exemplary set of filter objects are provided in col. 6 lines 38-46, wherein the filters are text based.)

- converting the text-based filter string directly to machine-language filter code once using a machine-language generator for use by a code section of a computer program, the machine0language generator being configured to convert the text-based filter string directly to machine language filter code ("the various components as well as the dispatch system coordinator itself are implemented as objects defined in JAVA classes" in col. 9 lines 17-19. The conversion to machine-language is inherent when something is compiled into a Java class)
- executing the machine-language filter code to accept or discard multiple messages received by or residing within one or more software components ("Filter objects receive messages from publishers and provide filtering criteria that decides whether the message should be dispatched to its subscribers" in col. 5 lines 32-34)

as claimed.

Regarding claim 2:

The rejection of claim 1 is incorporated, and further, Chu discloses executing the machine-language filter code by a central processing unit as claimed ("message filtering and dispatching is performed by computer system 100 in response to processor 104 executing one or more sequences of one or more instructions..." in col. 3 lines 49-51)

Regarding claim 4:

The rejection of claim 1 is incorporated, and further, Chu discloses the machine-language filter code being directly executable by the central processing unit as claimed (Note rejection regarding claim 2)

Regarding claim 6:

The rejection of claim 1 is incorporated, and further, Chu discloses the text-based filter string being human-readable as claimed (Note col. 6 lines 38-46, the FLT filter object definitions are human-readable.)

Regarding claim 7:

The rejection of claim 6 is incorporated, and further, Chu discloses the text-based filter string being formatted according to a conditional expression syntax (Note col. 6 lines 38-46, FLT filter object SimpleTextFilter uses a conditional to determine whether to allow or deny the message.)

Regarding claim 8:

Chu teaches:

- a system of filtering information transmitted from one or more software components within a computer program to one or more other software components within another computer program or the same computer program ("the use of computer system 100 for filtering...and acting upon information" in col. 3 lines 46-47)
- a filter generator configured to receive a text-based filter string representing filter criteria ("Filter objects...provide filtering criteria..." in col. 5 lines 32-33, "the dispatch system coordinator then loads and initializes the filters identified..." in col. 5 lines 62-63. Further, an exemplary set of filter objects are provided in col. 6 lines 38-46, wherein the filters are text based.)

- a machine language generator coupled with the filter generator and being configured to convert the text-based filter string directly to machine-language filter code once ("the various components as well as the dispatch system coordinator itself are implemented as objects defined in JAVA classes" in col. 9 lines 17-19. The conversion to machine-language is inherent when something is compiled into a Java class)
- a processor for executing the machine-language filter code for a software component of a computer program to accept or discard information received by the software component within the computer program ("Filter objects receive messages from publishers and provide filtering criteria that decides whether the message should be dispatched to its subscribers" in col. 5 lines 32-34)

as claimed.

Regarding claim 9:

The rejection of claim 8 is incorporated, and further, Chu discloses a processor as claimed ("message filtering and dispatching is performed by computer system 100 in response to processor 104 executing one or more sequences of one or more instructions..." in col. 3 lines 49-51)

Regarding claim 11:

The rejection of claim 8 is incorporated, and further, Chu discloses the machine-language filter code being directly executable by the central processing unit as claimed (Note rejection regarding claim 9)

Regarding claim 13:

The rejection of claim 8 is incorporated, and further, Chu discloses the filter string being human-readable as claimed (Note col. 6 lines 38-46, the FLT filter object definitions are human-readable.)

Regarding claim 14:

The rejection of claim 13 is incorporated, and further, Chu discloses the filter string being formatted according to a conditional expression syntax (Note col. 6 lines 38-46, FLT filter object SimpleTextFilter uses a conditional to determine whether to allow or deny the message.)

Response to Arguments

6. Applicant's arguments filed 2 August 2004 have been fully considered but they are not persuasive.

Per claims 1 and 8:

The applicant states that Chu does not teach or suggest converting text-based filter strings to machine language filter code. In response, it is noted that the filter strings in Chu are modules in Java, which as indicated in the prior rejection, are converted to machine language. Note col. 13, lines 24-25, wherein "said set of loaded modules includes a first source module and a first filter module..." and further note col. 14 lines 45-46, wherein "said loaded modules are objects that are instances of JAVA classes..." As such, the text-based filter strings, embodied in the filter module, are inherently converted to machine language if they are to be used, since they are Java objects, which must be compiled to be utilized. Therefore, Chu does disclose converting text-based filter strings to machine language filter code, and as such, the rejections of claims 1 and 8 are proper and maintained.

Per claims 2, 4, 6, 7, 9, 11, 13 and 14:

The Applicant states that claims 2, 4, 6, 7, 9, 11, 13 and 14 are allowable as being dependent on an allowable base claim. As has been shown above, the rejections of independent claims 1 and 8 are proper, and as such, the argument that claims 2, 4, 6, 7, 9, 11, 13 and 14 are allowable as being dependent on an allowable base claim is considered moot. Therefore, the rejections of claim 2, 4, 6, 7, 9, 11, 13 and 14 are proper and maintained.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trent J Roche whose telephone number is (571)272-3733. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trent J Roche
Examiner
Art Unit 2124

TJR

KAKALI CHAKI
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